



**SUBMISSION TO THE UNITED NATIONS
CREDENTIALS COMMITTEE AND
MEMBER STATES OF THE UNITED NATIONS**



**BRIEFING PAPER: REPRESENTATION
OF THE REPUBLIC OF THE UNION OF
MYANMAR
AT THE UNITED NATIONS**

**MINISTRY OF FOREIGN AFFAIRS
THE REPUBLIC OF THE UNION OF MYANMAR**

OCTOBER 2021

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(1000) Copies

MINISTRY OF FOREIGN AFFAIRS

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1. Introduction

1. This Briefing Paper is to inform the deliberations by the United Nations Credentials Committee and the United Nations General Assembly on the issue of representation of the Republic of the Union of Myanmar at the United Nations. It is based on provable fact, not on media allegations and not on political narrative. Other reports, based on media allegations and information sources only from one side, have disregarded evidence wherever this conflicts with their own narrative. These reports have, therefore, disregarded (a) on-the-ground evidence and publicly available documents in Myanmar, (b) evidence backed up by testimony videos, documentation, and legal material presented periodically by the Government at public media conferences since February 2021, and (c) the actual security situation in the country, visible even to a casual visitor in Myanmar. Forces who have political reasons for doing so have constructed their own alternative history of events in Myanmar. When these alternative histories are repeated often enough, they become the political narrative which elevates myths and falsehoods to so-called truths, spreading widely online as the instruments of post-truth politics.

2. There is no clear precedent regarding the Credentials practice at the United Nations when two competing parties claim to represent the same Member State. The UN General Assembly has in the past ruled variously. Reasons justifying the decisions have included effective control of the country in question, non-intervention in the domestic affairs of a sovereign state, control over a predominant part of the population, control of the nation's capital and state apparatus, the extent of cooperation with the United Nations, and the means by which a ruling government has

come into power. An unspoken reason is the support or the opposition of a major global power to either of the competing claims, as in the case of China from 1950 to 1971.¹ On the other hand, the UN itself states that:

*“whenever more than one authority claims to be the government entitled to represent a Member State and this question becomes the subject of controversy in the United Nations, the question should be considered in the light of the Purposes and Principles of the Charter and the circumstances of each case”*²

3. This Paper will set out the recent events as they happened in Myanmar, all of which are provable. The Paper will further show that false accusations and misperceptions of recent history have led to a one-sided view of Myanmar’s State Administration Council, the Provisional Government of the Republic of the Union of Myanmar, and the Myanmar Defence Services (the “Tatmadaw”). In any legal or political dispute, both parties should be treated fairly according to due process. Myanmar’s Provisional Government deserves no less.

¹ For example: a) United Nations (1950). *Question of the Representation of China in the General Assembly* [1950] UNGA 1; A/RES/490 (V) (19 September 1950); b) United Nations (1951). *Question of the Representation of China in the General Assembly* [1951] UNGA 4; A/RES/501 (V) (5 November 1951); c) United Nations (1953). *Question of the Representation of China in the General Assembly* [1953] UNGA 15;

² United Nations (1950). UN General Assembly Resolution. *Recognition by the United Nations of the representation of a Member State*, 14 December 1950, A/RES/396. Available at: <https://www.refworld.org/docid/3b00f08c0.html> [accessed 9 October 2021]

2. Myanmar and the path to democracy

4. Over the past two decades, when many other parts of the world were making the transition to democracy with much difficulty and bloodshed, Myanmar made a peaceful transition to a democratic system. Myanmar's efforts were acknowledged by the international community at the time. It is an incontrovertible fact that the Tatmadaw led Myanmar's peaceful transition to democracy. Nurturing the seeds of democracy was a challenging task, as a study of Myanmar's history shows. Myanmar's political transition started in 2003, when following the 2003 Seven-Step Roadmap, the State Peace and Development Council (SPDC)³ reconvened an inclusive National Convention⁴ in 2004 to develop and draft the 2008 Constitution. The 2008 Constitution then provided the foundation for the multiparty General Elections in 2010 and 2015. It was the Tatmadaw who first opened up the country in 2010, including open debate and discussion on public media. Thus, the Tatmadaw as an institution remains committed to preventing any action that would violate the 2008 Constitution and destabilize Myanmar. In other countries of the region, too, the military is an important political force in the state-building process, and this cannot be ignored.

5. Past events show that from 2010 to 2020, the Tatmadaw maintained neutrality and impartiality in elections conducted by the various Union Election Commissions (UEC) appointed by

³ The State Peace and Development Council (SPDC) was set up by the military government in 1997 to replace the previous State Law and Order Restoration Council.

⁴ The National Convention was first convened in 1993 and reconvened in 2004 to draft the 2008 Constitution. The National Convention included stakeholders who were well experienced in politics, security, administration, economics, social sectors and law as well as representatives of National ethnic races of all townships in the Nation.

successive governments, and indeed, played a stabilizing role. The 2010 General Elections were conducted by the UEC led by U Thein Soe, who was appointed by the SPDC Government. The 2015 General Elections were conducted by the UEC headed by U Tin Aye, who was appointed by the government led by the Union Solidarity and Development Party (USDP).⁵ The 2020 General Elections were conducted by the UEC led by U Hla Thein, who was appointed by the government led by the National League for Democracy (NLD). For all three General Elections, the Tatmadaw facilitated the operations and logistics, including the delivery of ballot papers and polling station equipment to remote ethnic areas by its fleet of military aircraft.

6. On 7 November 2010, General Elections were organized by the UEC headed by U Thein Soe. The NLD refused to participate in these General Elections on the grounds that it rejected the 2008 Constitution. The USDP won 79.69% of available seats for the lower house (Pyithu Hluttaw), 76.79% of available seats for the upper house (Amyotha Hluttaw), and 74.74% of available seats for the Region/State Hluttaws.⁶

⁵ The Union Solidarity and Development Party (USDP) was initially established by the Tatmadaw. Today, however, the USDP has many civilian members and young supporters drawn from a wide range of civil society.

⁶ The Pyidaungsu Hluttaw is the national-level bicameral legislature of the Republic of the Union of Myanmar established by the 2008 National Constitution. The Pyidaungsu Hluttaw is made up of two houses, the Amyotha Hluttaw, a 224-seat upper house of representatives elected from Regions and States, and the Pyithu Hluttaw, a 440-seat lower house of representatives elected on the basis of township as well as population. As well, there are Hluttaw at Region or State level. Of all Hluttaw seats, 25% are reserved for assigned members of the Tatmadaw, according to the 2008 Constitution (Articles 14, 109b, 140b), which planned for smooth transition from a military-led to civilian-led government. Some other countries in Asia offer examples of military participation in political entities.

7. On 1 April 2012, by-elections were successfully organized by U Tin Aye's Union Election Commission (UEC) which had been appointed by President U Thein Sein's government to fill vacancies left by appointments to the new government and judiciary.⁷ For those by-elections, President U Thein Sein (himself a retired general from the Tatmadaw) took the milestone step of inviting Daw Aung San Suu Kyi to join the Hluttaw, saying that they could work together on issues they could agree on while continuing to discuss issues on which they had differences. The subsequent modification of clauses in the election law enabled Daw Aung San Suu Kyi (who had been under house arrest previously) and other NLD members to participate. The oath of office for Hluttaw members was changed from "protect and uphold" the Constitution to "respect and follow" the 2008 Constitution. The NLD won 43 out of 45 seats contested. Thus, Daw Aung San Suu Kyi joined the Hluttaw after taking the oath to respect and follow the Constitution.

8. The records show that the government of President U Thein Sein initiated wide-ranging political, security, economic and social reforms. The government opened up the country along diverse fronts, more than it ever had been since 1962, even allowing harsh criticism of the authorities in the media.⁸ Many Myanmar people had still greater expectations — they expected that under the leadership of Daw Aung San Suu Kyi, they would enjoy much greater freedom, democracy, and prosperity.

⁷ Due to the separation of powers in Myanmar's 2008 constitution, members elected to the Hluttaw are disqualified from their seats if they accepted appointment to an executive or judicial body. As a result, many Hluttaw representatives elected in 2010 were disqualified from their seats after accepting appointment to bodies such as the Cabinet.

⁸ It was during this time that "fake news" and hate messages became increasingly prevalent among the public.

9. On 8 November 2015, in the General Elections organized by the UEC led by U Tin Aye, the NLD won 78.95%, 80.36% and 75.27% of the available seats, respectively, for the Pyithu Hluttaw, Amyotha Hluttaw and Region/State Hluttaw. Months before the Election Day, several independent observers and international organizations were invited to Myanmar to monitor the elections.⁹ Overall, these elections were universally recognized as free and fair.

10. The transfer of power by President U Thein Sein's USDP-led government to the NLD-led government was peaceful. Indeed, President U Thein Sein formally handed over the presidential seal to new President U Htin Kyaw during a ceremony at the presidential palace in Nay Pyi Taw on 30 March 2016.¹⁰ The Tatmadaw participated in the handover ceremony and continued operating under the rule of the civilian government.

11. Thus, it was the military-backed government and the UEC appointed by the government who, with full transparency and accountability, ensured multi-party democratic General Elections in 2010 and 2015, and by-elections in 2012. In all these elections, there were no major controversies. The minor complaints that arose were successfully resolved within the framework of the law by the two respective Union Election Commissions at the time.

⁹ These included the Asian Network for Free Elections, the Carter Center, the European Union's Election Observation Mission, and International Foundation for Electoral Systems.

¹⁰ Reuters (2016). Wednesday March 30, 2016. <https://www.reuters.com/news/picture/tears-flow-as-myanmar-swears-in-first-pr-idUSKCN0WW0CA> Accessed 1 October 2021.

3. The November 2020 General Elections

12. Myanmar's 2020 General Elections, held on 8 November 2020, were markedly different from the 2015 General Elections. Opposition parties and their candidates officially filed over a thousand complaints against U Hla Thein's UEC (which had been appointed by the NLD-led government) and its township branches, as well as criminal cases with the police. USDP candidates filed 174 complaints against the Union-level UEC, and 1,280 cases with the police against the local branches of the UEC for violations of election laws.¹¹ Even before the elections, in the campaigning and advance voting period, the new People's Pioneer Party (PPP) filed complaints with the UEC for violations of election laws in several townships.¹² The UEC led by U Hla Thein never responded to any of these official complaints or to the police cases filed against its local branches. Applications for three writs by the Supreme Court were filed and accepted by the Supreme Court (section 4). The public in 99 townships held a total of 124 demonstrations against the UEC from 10 November 2020 (two days after the General Elections) up to 29 January 2021.

13. The United States Secretary of State Michael R. Pompeo recognized these complaints and protests implicitly when he issued a statement stating the following (among other criticisms of the process):

The United States will continue to closely monitor the electoral process. We call on all relevant authorities to

¹¹ USDP records, Nay Pyi Taw.

¹² People's Pioneer Party (PPP) letters to the UEC from 31 October 2020 to 16 December 2020. The townships were Mayangone, Hlaing Tharyar, Dagon, Hlaing, Shwepyithar, Kantbalu, Wundwin, Pyigyitagun, Thazi, Thayetchaung, Tachileik, Taungoo, and Myanaung.

ensure tabulation of votes and resolution of complaints is undertaken in a transparent and credible manner.¹³
(emphasis added)

14. The Tatmadaw has the Constitutional mandate to safeguard the Constitution (Article 20f), and therefore, ensuring a “genuine, disciplined multi-party democratic system” (Article 7). Accordingly, twice before the General Elections and four times after, the Tatmadaw publicly declared its position on the need for free and fair elections, and on the need to follow the election laws. The sequence of events concerning the 2020 General Elections and the role of the Tatmadaw was as follows, all of which are recorded in public news bulletins issued by the Tatmadaw and disseminated by the media.

- (a) On 2 November 2020, the Tatmadaw issued an official declaration drawing the attention of the Union government and the UEC to (a) the various irregularities occurring in the pre-election period, (b) certain UEC directives that did not conform with existing laws, and (c) the various cases of malpractice and irregularities associated with the casting of absentee ballots. There was no response from the UEC.
- (b) On 2 November 2020, to ensure free and fair elections for the ethnic minority regions, the Tatmadaw issued a letter to ethnic armed organizations to avoid intimidation of the voting public and to freely allow political campaigning by all parties.

¹³ U.S. Department of State. Office of the Spokesperson (2020). November 9, 2020: *Statement by Secretary Michael R. Pompeo – Burma’s Parliamentary Elections*. Available from: <https://mm.usembassy.gov/statement-by-secretary-michael-r-pompeo-burmas-parliamentary-elections/> Accessed 1 October 2021.

- (c) Following the numerous complaints against the UEC and the lack of action by UEC to address these complaints, the Tatmadaw on 30 November 2020, in accordance with Myanmar Evidence Act Articles 74 and 76, requested the UEC to publicly share the latest (updated) electoral registration lists (voters list), in order to resolve the controversies arising from the General Elections and clear doubts among the public about the elections not being free or fair. The voters list of each polling station is available to all candidates on request. According to law, the UEC and its subnational level branches must make these available. However, the UEC issued a statement on 8 December 2020 rejecting the Tatmadaw's request and responding that it could not share the updated voters list.
- (d) On 10 December 2020, the Tatmadaw issued a declaration that such a request to view, copy and scrutinize the voter lists was well within the right of any voter according to the law, and that therefore, it urged the UEC to comply with the request. The request continued to be ignored.
- (e) Subsequently, from 23 December 2020 to 16 January 2021, the Tatmadaw conducted a systematic and rigorous scrutiny of available¹⁴ voters lists in 315 townships — where security conditions permitted the holding of the 2020 General Elections — out of a total of 330 townships in the country.¹⁵ This investigation of available voters lists,

¹⁴ The Tatmadaw used the voters lists issued officially by the UEC to all candidates for the General Elections. The UEC had not collaborated with the Tatmadaw or with the opposition parties and had ignored all of their requests to provide updated voters lists.

¹⁵ Tatmadaw Information Team (2021). *Findings from scrutiny of voters lists and cross-checks*. Myanmar Tatmadaw news bulletin 28 January 2021. Posted on dsinfo.org Tatmadaw Information Team website.

which could have been conducted by anyone who had the lists in searchable spreadsheet format, indicated electoral fraud and vote rigging on a massive and unprecedented scale, including millions of repetitions of citizenship identity card numbers that went far beyond the possibility of routine errors.¹⁶ Any repetition of identity card numbers in voters lists indicates potential electoral fraud or vote rigging. Other indications of potential fraud included: millions of cases without any NRC number in the list, cases under the official voting age of 18 years, suspiciously high numbers of cases with age about 100 years old¹⁷ and other cases of suspect identity. Altogether, the Tatmadaw's investigation revealed that over 10.4 million names on the voters lists were potentially fraudulent, out of the 38.3 million so-called eligible voters announced by the UEC.

- (f) On 20 January 2021, the Tatmadaw stated that the reason it was making public the findings of voting irregularities and electoral fraud in its investigations was to ensure transparent, free and fair elections; that if the UEC could resolve these issues, the general election outcomes would be accepted by other political parties and by the Tatmadaw; and that — for the broader benefit of all citizens and the nation — it was requesting the Union Hluttaw, the national government and the UEC to address these issues.

¹⁶ Every citizenship identity card in Myanmar has a unique identification number.

¹⁷ United Nations Population Division estimates based on prevailing demographic trends, indicate that Myanmar only had around 219 people older than 100 years in 2020. Source: United Nations, Department of Economic and Social Affairs, Population Division (2019). World Population Prospects 2019, Online Edition. Rev. 1.

- (g) With each fresh finding of electoral fraud in the townships across the country, the Tatmadaw issued the new finding publicly, for up to 30 times, including at a full-fledged media conference on 26 January 2021. At this conference, attended by over 50 representatives of international and national media, the Tatmadaw set out its findings on the massive scale of fraud and potential fraud, together with documentary evidence for examination by media.
- (h) In a parallel process with the Tatmadaw's efforts to have the UEC collaborate in order to explain these discrepancies, in the period between the General Elections on 8 November 2020 and 31 January 2021, 20 political parties issued 26 declarations, requesting that the electoral fraud revealed by the investigations of voters list and their own complaints must be fully resolved before any acceptance of election outcomes.
- (i) On 11 January 2021, 203 Hluttaw Representatives from political parties and the Tatmadaw requested the Speaker of the Pyidaungsu Hluttaw (as they were legally entitled to do) to convene a special session to discuss and resolve the numerous issues and problems related to the 2020 General Elections. The Speaker of the Pyidaungsu Hluttaw ignored this request, even though Article 84 in the 2008 Constitution requires him to convene a special session as soon as possible upon the request of at least 25% of the total number of the representatives.
- (j) On 14 January 2021, the Tatmadaw pointed out that the Speaker of the Pyidaungsu Hluttaw should review whether he was contradicting the Constitution when he ignored the lawful request of 203 Hluttaw Representatives to convene a special session.

- (k) On 20 January 2021, the Tatmadaw requested the national government, the Pyidaungsu Hluttaw and the Union Election Commission to resolve the situation. This request was ignored by those entities.
- (l) Finally, following its unsuccessful attempts at every level to put forward a negotiated solution to the potentially massive electoral fraud, the Tatmadaw in January 2021 requested twice for the President to convene a meeting of the National Defence and Security Council. This Council is headed by the President and represents the top civil and military leadership of the country.¹⁸ These requests were ignored by both President U Win Myint and State Counsellor Daw Aung San Suu Kyi.

15. In other words, the Tatmadaw acted in accordance with existing laws and the 2008 Constitution at every step. Throughout the process outlined above, the Tatmadaw was the one pressing for adherence to democratic norms and requesting the UEC and NLD-led government to resolve the issues. Yet, the NLD-led government and UEC ignored all requests and calls to explain how over 10 million cases of potentially fraudulent or non-existent names had been included in the official voters list issued by the UEC. Section 5 presents the final findings of the investigations into the 2020 General Elections.

¹⁸ The National Defence and Security Council is constituted of: (a) the President; (b) Vice-President; (c) Vice-President; (d) Speaker of the Pyithu Hluttaw; (e) Speaker of the Amyotha Hluttaw; (f) Commander-in-Chief of the Defence Services; (g) Deputy Commander-in-Chief of the Defence Services; (h) Minister for Defence; (i) Minister for Foreign Affairs; (j) Minister for Home Affairs; (k) Minister for Border Affairs.

4. The enforcement of the 2008 Constitution

16. It is the Tatmadaw as an institution which set the country on the path of democratic transition through the 2008 Constitution, which laid out the path for orderly reform and gradual transition to a democracy. Despite the many negative commentaries about the 2008 Constitution, it was this Constitution that set the legal basis and framework for (a) the General Elections in 2010, (b) the by-elections in 2012, when Daw Aung San Suu Kyi decided to put aside her objections to the 2008 Constitution and became a member of the Hluttaw, (c) the General Elections in 2015 when the NLD had a landslide victory, and state power passed peacefully into the hands of the NLD-led government, and (d) the General Elections in 2020. If vote rigging and electoral fraud had not taken place on such a massive scale (section 5), then the Tatmadaw would not have needed to intervene, and today's situation would be quite different.

17. The Government of Myanmar categorically rejects the allegations made by a team of international legal experts¹⁹ that the Vice President U Myint Swe and the Tatmadaw violated the 2008 Constitution when state power was transferred to the Tatmadaw. These legal experts are unfamiliar with both the 2008 Constitution and the Myanmar language, the original language of the 2008 Constitution. Moreover, they ignored the legal proceedings already taking place in the country following the 2020 General Elections. Myanmar is a fully functioning state with its own judicial and legislative systems, not a failed state. The Tatmadaw is the most

¹⁹ Barber et al. (2021). *Legal Opinion: United Nations Credentials Committee: Representation of the State of Myanmar to the United Nations*. Available from: <https://the-world-is-watching.org/2021/09/> Accessed 1 October 2021.

highly disciplined institution in the country and does not make *ad hoc* decisions.

18. The breaking point came when the NLD leadership went ahead with its earlier plans to convene the first session of the five-year Third Pyidaungsu Hluttaw. The NLD had initially planned this session on 5 February 2021, but then moved it up to 1 February 2021, with the express purpose of forming a new government based on the 2020 General Elections, which, as sections 3 and 5 show, were fraudulent on a massive scale. This act of calling the Third Pyidaungsu Hluttaw was manifestly illegal, since three writs were pending at the Supreme Court of the Union of Myanmar against the UEC and its conduct of the 2020 General Elections.²⁰ The Supreme Court had already accepted these three cases and had already held a preliminary hearing on the first case on 29 January 2021. During this case, the Court had reserved judgement for a later date in February to allow time to consider the evidence and submissions. In addition, at least 1,280 cases had been accepted by township-level police against the UEC on charges of violating the election laws.

19. Since the Supreme Court had yet to pass judgement on the highly disputed electoral process, the Tatmadaw asked President U Win Myint to wait before calling the Third Pyidaungsu Hluttaw

²⁰ (a) Case 199/2020 of the Supreme Court. Application for a Writ Quo Warranto against the 15 members of the Union Election Commission (UEC), submitted on 3 December 2020 to the Supreme Court of the Union by Thray Sithu U Soe Maung of the Democratic Party of National Politics. (b) Case 203/2020 of the Supreme Court. Application for a Writ against the UEC, submitted on 17 December 2020 by U Hla Thein on behalf of the Union Solidarity and Development Party (USDP). (c) Case 6/2021 of the Supreme Court. Application for a Writ against the UEC, submitted on 20 January 2021 by U Nyunt Hsaung, USDP Pyithu Hluttaw candidate for Yamethin Township.

and to solve this issue amicably. However, both President U Win Myint and State Counsellor Daw Aung San Suu Kyi ignored the explicit request of the Tatmadaw not to force this illegal action before the election disputes were resolved.

20. At midnight on 31 January 2021, the term of the Second Pyidaungsu Hluttaw expired according to the Hluttaw law.²¹

21. By that time, President U Win Myint had repeatedly committed the actions outlined in Article 71a, clauses (ii), (iii) and (v) of the 2008 Constitution, respectively, breach of the provisions of the Constitution; misconduct; and inefficient discharge of duties assigned by law. President U Win Myint breached several Articles in the Constitution, including Article 64 (not taking part in party activities during his term in office) and Article 65 (upholding and abiding by the Constitution and its Laws). The President violated Article 65 not just once but several times, with the most severe implications for the country being (a) the refusal to convene the National Defence and Security Council to find an amicable solution to the findings of massive electoral fraud and ongoing legal proceedings against the UEC/NLD, (b) not stopping the illegal convening of the Third Pyidaungsu Hluttaw to form a new government based on fraudulent election results, and (c) not waiting for the Supreme Court decisions on the pending writs. These unilateral decisions by the President brought about an emergency situation for the country, as defined in the 2008 Constitution, which therefore resulted in the temporary transfer of state power to the Tatmadaw.

²¹ Article 74, 119 and 151 of the 2008 Constitution. Article 4 of the Law Relating to the Pyithu Hluttaw and Article 4 of the Law Relating to the Amyotha Hluttaw.

22. The emergency situation declared by the Acting President, transferring state power to the Tatmadaw, was entirely in line with the 2008 Constitution, where Article 20f states the Tatmadaw is mainly responsible for safeguarding the Constitution. There was no requirement for the Hluttaw to approve the impeachment or removal of the President, as wrongly interpreted by foreign analysts. In fact, there was no Hluttaw from midnight 31 January 2021. Instead, the Tatmadaw acted according to Articles 417 and 418 in the 2008 Constitution. President U Win Myint had used wrongful forcible means to take over sovereignty of the country (Article 417), as shown by (a) his refusal to convene the National Defence and Security Council to address the crisis as required by the Constitution, (b) his refusal to resolve the problems arising from the findings of massive election fraud, and (c) his refusal to use executive power to postpone the first session of the Third Pyidaungsu Hluttaw, which would then be based on the 2020 general election results, upon which issue a Supreme Court decision was pending. These events came together to constitute a state of emergency, where the President — being unable or incompetent to enforce the Constitution — was replaced by the Vice-President according to Article 73a of the 2008 Constitution.

5. Final outcomes of the investigation of the 2020 General Elections

23. One of the first tasks of the new State Administration Council was to appoint a new UEC led by U Thein Soe to undertake a thorough investigation of the updated voters lists and voting processes in 315 townships where multiparty General Elections were held on 8th November 2020. This involved the scrutiny of final records from 39,963 polling stations, interviews with relevant local officials and community representatives. The investigation was conducted transparently, in strict compliance with Section 53 of the relevant Hluttaw Election Law. The new UEC team engaged all stakeholders in its investigations, from local township sub-election commissions and representatives of township-level government departments to representatives from different political parties and community leaders.

24. The previous UEC led by U Hla Thein had reported that 27,512,855 votes had been cast from a list of 38,271,447 eligible voters, with a voting turnout rate of 71.89%. On the other hand, the statistics from the Ministry of Labour, Immigration and Population showed 31,775,330 eligible voters (citizens over 18 years of age) as of November 2020, or 6,496,117 voters less than that reported by U Hla Thein's UEC.

25. Subsequent investigations by the new UEC led by U Thein Soe revealed that the scale of fraudulent identities and ineligible voters was even greater than that revealed by the Tatmadaw's investigations (paragraph 14 e), since the new UEC now had access to all election-related documents. The new UEC uncovered the following in the 2020 General Elections voters lists:

- (a) 4,869,427 so-called voters without any citizenship identity card (Figures A2 and A3).
- (b) 295,405 so-called voters who appeared in the voters list three times and above but with the same citizenship identity card number, in the same township. The citizenship identity card number, also called the citizenship scrutiny card number, is unique for each citizen of the Republic of the Union of Myanmar (Figure A8).
- (c) 3,596,206 so-called voters included in the voters list twice with the same citizenship identity card number, also within the same township (Figure A6).
- (d) Additional repetitions of citizenship identity card numbers for 1,091,776 so-called voters revealed by cross-checks among different townships (Figure A7).
- (e) Yet more repetitions of citizenship identity card numbers for 1,417,598 so-called voters across different regions and states (Figure A4).
- (f) 20,566 so-called voters of age 100 years and above.
- (g) 14,412 voters of age under 18 years, and therefore ineligible.

26. In total, 11,305,390 names in the voters list were found to be fraudulent or potentially fraudulent — that is, duplicate, triplicate and therefore, false identities; unverifiable identities; and persons ineligible to vote. This represents 29.54% of the total voters list provided by U Hla Thein's UEC.

27. Field investigations also revealed 1,424,391 missing ballot papers, and 438,850 excess ballot papers, which are violations of the relevant laws and regulations, indicating further potential for

electoral fraud. Regarding the election process and voting conditions of the 2020 General Elections, the following violations of laws and bylaws were found:

- (a) *Interference by the NLD and the NLD-led government in the election processes.* Abusing its executive power, the NLD party interfered illegally at each step of the election process, including the appointment of sub-election commission members at region and township level, collection of names for voters list, election campaigns, advance voting process, and the voting process on the Election Day itself. U Hla Thein's UEC followed the instructions from the NLD Region/State Chief Ministers in appointing the chairpersons and members of the election sub-commissions. Under the directives of the Union Government Office, the NLD Region/State Chief Ministers led a "Support Group" for voters list, which then led to the proliferation of fake identities in voters lists and other fraudulent practices. Members of the NLD party campaign team interfered in the collection of ballot papers from voters during the advance voting period.
- (b) *Ineligible or non-existent voters.* Those who did not have a citizenship identity card (and therefore, subsequently unverifiable) were allowed to cast their ballots in the General Elections, which is against the election laws. Data collection from polling stations showed identities with the same citizenship identity card number having voted more than once (Figure A6).
- (c) *Counting of ineligible or false ballots:* The former UEC issued directives that ballot papers stamped without the official UEC checkmark logo were valid, whereas this is

not allowed by law. Therefore, ballots stamped with any checkmark were illegally counted.

- (d) *Misuse of power against the Shan and Rakhine ethnic minorities.* In nine townships of Rakhine State and six townships of Shan State, candidates from the ethnic minority parties stood a good chance of winning the seats. Shortly before the elections, the former UEC cited security concerns and announced the postponement of elections in these townships. Yet, at the time, the security conditions in some other townships (e.g., Paletwa) were even worse, but the elections had not been postponed in those townships since the NLD was likely to win those seats.
- (e) *Abuse of executive power to break COVID-19 laws and regulations:* The NLD party used the COVID-19 laws and regulations to severely limit the campaigning by other political parties, and yet the party leadership broke COVID-19 rules themselves in conducting campaigns.
- (f) *Discoveries of falsification.* Certain local UEC staff have testified to insertion of false identities into voters lists, and illegal issuance of ballot papers. Ballot papers pre-stamped with the vote for NLD even before use at polling stations were also found to be in use for advance voting (Figure A9).

28. All the evidence showed that the former UEC led by U Hla Thein misused its mandate and violated existing laws and regulations. Therefore, on 26th July 2021, the results of the 8 November 2020 Multiparty General Elections were officially annulled.²²

²² Union Election Commission (2021). Announcement No. 2/ 2021 on the Annulment of Results from the 8 November 2020 General Elections. 26 July 2021.

6. Effective territorial control

29. It is factually wrong to state that the current Provisional Government of the Republic of the Union of Myanmar and its security forces (the Myanmar Tatmadaw and the Myanmar Police Force) do not have full territorial control of the country. It is also factually wrong to state that the current government does not have full control of the largest cities of Yangon and Mandalay and other towns. Those who are making these statements have not been to any of these territories which they claim are under dispute. More importantly, they confound territorial control with the rule of law.

30. The United Nations has published definitions of the rule of law,²³ as well as 135 indicators on rule of law.²⁴ The World Bank has attempted to quantify perceptions drawn from various sources of the rule of law in countries across the globe.²⁵ These estimates based on perceptions (which are subjective) place Myanmar in the bottom quintile of countries with a percentile ranking of 10.57 in 2020.²⁶ By any of these measures and definitions, it is true that Myanmar still faces challenges in ensuring rule of law and

²³ United Nations (2004). *Report of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies*. S/2004/616. New York: United Nations.

²⁴ United Nations Department of Peacekeeping Operations and Office of the United Nations High Commissioner for Human Rights (2011). *The United Nations Rule of Law Indicators: Implementation Guide and Project Tools*. New York.

²⁵ The World Bank explains its estimates as “Rule of Law captures perceptions of the extent to which agents have confidence in and abide by the rules of society, and in particular the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence. Estimate gives the country's score on the aggregate indicator, in units of a standard normal distribution, i.e., ranging from approximately -2.5 to 2.5.”

²⁶ World Bank Worldwide Governance Indicators. https://databank.worldbank.org/id/c92bd494?Report_Name=World-Bank-Data-Rule-of-Law#

equitable access to justice, as do many other developing countries. However, this does not mean that the Government lacks control of the territory where crimes take place, as the following explains.

31. First, the People's Defence Force (PDF)²⁷ which is claimed by the so-called National Unity Government (NUG) as its security forces, are no more than dispersed and undisciplined groups of terrorists, who are unable to deal directly with Myanmar's security forces. Therefore, they have resorted to killing of unarmed civilians to sow terror among communities. The killing has been indiscriminate. Victims are targeted just because they are not NLD or PDF supporters. The PDF also target civil servants such as village clerks who do not want to quit their jobs, whether it is out of necessity or commitment to serve their communities. The PDF have also resorted to small-scale bombings of government offices, communication lines, vaccination stations, and other easy targets. However, as soon as government security forces arrive, they disappear. The issue is of one of law enforcement, not territorial control. The security forces are steadily uncovering PDF networks, arresting those who have committed such acts of violence (including many who were using drugs) and subjecting the detainees to due legal process. To confound the PDF groups with the country's security forces is equivalent to saying that in countries across the world, the armed groups who engage in crime are equivalent to the country's police and military forces.

²⁷ In this document, the term "People's Defence Force" (PDF) will include the PDF as well as its offshoots and affiliated groups, such as the Chinland Defence Force, supporting the National Unity Government (NUG)/ and the Committee Representing Pyidaungsu Hluttaw (CRPH). On 8 May 2021, the Government of the Republic of the Union of Myanmar declared the NUG, CRPH and PDF to be terrorist organizations that threaten the security of the people.

32. Second, the proof of territorial control is that in cities and towns of every township across Myanmar, the government's administrative and governance structures are operating. These include administrative offices, public health and education facilities, police outposts and stations, and military outposts or garrisons. In some smaller towns in Chin State where the PDF have attacked civilians and police, the Tatmadaw has moved in keep the town safe, but there is no question to whom the territory belongs: it is not the PDF or NUG, it is the Provisional Government of the Republic of the Union of Myanmar. The same applies for every town and village across Myanmar outside of the "Ceasefire Territories" agreed with ethnic armed organizations (EAOs) (paragraph 34). In Sagaing Region, known for frequent PDF attacks, all its 37 townships are under government control with government machinery and processes operating, down to vaccination campaigns proceeding smoothly, despite sporadic violence by PDF groups.

33. Third, another sure indication of territorial control is that the Myanmar Ministry of Home Affairs opens criminal proceedings with the police and investigates every attack across the country by the PDF, whether the attack is against security forces, civilians, public facilities, or infrastructure, even in the most remote locations. The Tatmadaw comes in where attacks against military posts are attempted, or where EAOs are involved. Tables C1 and C2 show all deaths and injuries from 1 February to 30 September 2021 documented by the Ministry of Home Affairs. Every death is registered with the police, and the authorities have (a) a death certificate issued by health authorities, with cause of death (b) the name and age of the deceased, (c) the name of the father of the deceased, and (d) the occupation and address of the deceased person. In several cases, the Ministry of Home Affairs has video

testimony from the captured killers, bombers and arsonists. In other cases, the perpetrators have not yet been apprehended, but investigations are ongoing with every detail in the records.

34. Fourth, the issue of territorial control by EAOs merit special attention. Over years of ceasefire and peace negotiations, the mutual understanding developed between the Tatmadaw and EAOs is that durable peace is a mutually desired goal; therefore, the Tatmadaw will not take over the headquarters area of an EAO, which is mutually understood to be for that EAO with its troops. This applies especially to the 10 EAOs that have signed the Nationwide Ceasefire Agreement (NCA). Accordingly, for the EAOs that have signed the NCA, the geographic site of their headquarters is called “Ceasefire Territory” by the Tatmadaw. The Tatmadaw will not go there without an invitation from the EAO. In the “Associated Territory” next to the Ceasefire Territory, troop movements from both sides can take place if required. Even in the Ceasefire Territories where the EAO has signed the NCA, essential government functions are still operating. It cannot be said that Ceasefire Territories are not under the territorial control of the Government of Myanmar. Rather, to protect the peace process, the Tatmadaw will not attack these territories, unless the country’s territorial integrity and sovereignty are under threat.

7. Disinformation on the demonstrations and deaths in Myanmar

35. After state power transferred to the Tatmadaw, demonstrations against the Tatmadaw and new government began from 4 February and continued until April 2021. These demonstrations may be described in five stages, which are all documented in video evidence collected by the Ministry of Home Affairs.

36. In the first stage, during the first two weeks of February, the protests were peaceful. At that time, people who opposed the Tatmadaw's actions took part in these peaceful protests. Records show that security personnel did not exercise crowd management, because the crowds were demonstrating peacefully.

37. In the second stage, by the third week of February, the protests had changed to destruction of the government's administrative mechanisms through the civil disobedience movement (CDM), intimidation, and occasional violence. By then, the protesters had joined up with illegal organizations such as the Committee Representing Pyithu Hluttaw (CRPH).

38. The CDM was particularly deplorable. Going beyond mere civil disobedience, these groups threatened, assaulted or attacked people who did not want to be part of their movement. Civil servants and citizens continuing with their jobs (even in the private sector) were publicly threatened or shamed, and some were killed, just because they had different beliefs. Students studying abroad were stigmatized for not joining the CDM or for having parents in the military. Doctors who proudly claimed they were joining the CDM violated the medical code of ethics: they abandoned their

sick patients, forced patients to leave the hospital, exhorted other doctors to do the same, and some were able to close down hospitals. All these are on record. It is also on record that doctors and nurses from the medical corps of the Tatmadaw had to step in and open the Tatmadaw health care facilities to the public, from where they provided free-of-cost health care services to all patients. Unethical media have deliberately suppressed news reports of all such events that do not fit their narrative.

39. In the third and fourth stages, from the last week of February to first week of March, the CRPH, together with NLD party members and destructive elements, orchestrated riots. *Agents provocateurs* worked behind the scenes to place young people at the front of the crowds and turn the demonstrating crowds into anarchic mobs. The mobs sought direct confrontation with security forces, making armed attacks on police stations and those who were not NLD supporters. In the first days of March, these mobs became more violent. They forced the close-down and barricades of public roads, vandalized and destroyed offices, and mounted armed attacks on security forces and those who did not support the NLD/CRPH.

40. In the fifth stage, starting from the second week of March, the NLD/CRPH supporters and violence instigators changed to a strategy of armed insurrection, conducting armed attacks on the security forces and arson attacks on factories and industrial buildings. Proof that the CRPH and NLD hard-core supporters were the main instigators of this armed insurrection is found in the testimonies, captured on video, from those who were arrested.

41. As the stages escalated in violence, most of the public who wish to live peacefully stopped participating from the beginning of

the third stage. From 14–15 March 2021, martial law was enacted and implemented in some townships, which were in the fifth stage of armed insurrection. As a result, the level of violence decreased markedly in six townships in Yangon region, as well as in other towns and cities. As soon as the violence had subsided, citizens joined willingly with the security forces in removing road barriers and cleaning up roads, with the desire to return to normalcy, improve security, and resolve transport and communication difficulties. With road clearance, local markets were able to operate again, and trading activities resumed. Today, security and stability are improving, and the government is fully in control as described in section 6.

42. Throughout these demonstrations, the security forces (police and Tatmadaw) have adhered to international norms for crowd and riot control by exercising utmost restraint and using the least force and the lowest level of response possible in every situation. However, as the violence escalated, there have been unavoidable injuries and losses on both sides (Table C1).

43. Non-governmental organizations such as the Assistance Association for Political Prisoners (Burma) (AAPP),²⁸ have released unsubstantiated figures of those killed during the protests. The Ministry of Home Affairs periodically examines the lists issued by the AAPP and finds the number of deaths to be grossly inflated. For example, an examination of 987 identities issued by AAPP as “deceased” people” as of 31 August 2021²⁹ (Table B2)

²⁸ The Assistance Association for Political Prisoners (Burma), otherwise known as AAPP, is a human rights organization based in Mae Sot, Thailand and Yangon, Myanmar. It claims to be recognized as a reliable and credible source of information on Myanmar political prisoner.

²⁹ AAPP, 31 August 2021. <https://aappb.org/?p=17406>

showed that only 408 identities from the AAPP exist. Of these 408 identities, the Ministry has concrete information as follows:

- (a) 192 people died because of riot control measures during demonstrations when the demonstrations turned into violent rioting, with attempts to kill security forces or burn factories.
- (b) 193 people died of other causes during demonstrations, but not directly due to riot control measures implemented by security forces. These include disease (heart attack, stroke), falls, accidents and injuries in the crowd or in fleeing from security forces, and trauma. In this last group, there are also cases where bodies were dumped in the road or notified to the police.
- (c) 4 listed as deceased on the AAPP list are alive.
- (d) 19 persons detained and charged with criminal activities died while in police detention either from injuries sustained before detention (e.g., in riots), or from illness and/or pre-existing health conditions.
- (e) The remaining 579 identities, or 58.7% of the AAPP list are unverifiable and the police cannot find records that these identities existed. (Table B2)

44. It is worth examining some of the claims of AAPP, which can easily be disproved, since the Myanmar Police Force has records of every single person killed, injured and arrested, including the deaths of armed PDF, demonstrators, innocent civilians and members of the security forces. Even armed PDF are provided with medical treatment when they are injured. The Ministry of Home Affairs distinguishes between those killed or injured during the demonstrations in the earlier months, and the PDF members who were killed by security forces while they were

conducting terrorist acts against civilians and against the security forces, such as bombing, killing or weapons trafficking. Every single case of death in the first group (demonstrators) is on file with the police, with a record that has been meticulously checked, containing the name of the deceased, name of father, occupation, address, cause of death, death certificate from the health authorities, and date of cremation in accordance with existing laws (para. 33).

45. The AAPP list includes all deaths of people including those killed by PDF (section 8), but they falsely attribute these to security forces. Yet the western media and some governments accept these false claims, as these bolster the political narrative of unmitigated villainy on the part of the present government and security forces.

46. Table B1 shows selected cases where the AAPP has claimed, at times with considerable embellishments, that the government and security forces have killed civilians. Yet these civilians are alive and are being taken through due legal process in well-documented cases. AAPP simply chose to believe their sources. The AAPP could have avoided such serious mistakes had they made follow-up inquiries in the respective communities and taken the trouble to verify the deaths.

47. One serious allegation made by the AAPP, which could have led to religious divisions, was that a Christian pastor was among the *“1114 people were killed by government security forces.”*³⁰ It went on to say, *“.....On the evening of September 18, Pastor Cung Biak Hmun from Thantlang Centenary Baptist Church was shot dead while going to put out a fire caused by the junta’s*

³⁰ AAPP, 20 September 2021. <https://aappb.org/?p=17751>

artillery shells, in Htantalang Town, Chin State. In addition to this, terrorist junta troops took Pastor Cung Biak Hmun's wrist watch and phone and cut off his finger and took his wedding ring." The true sequence of events is that seven Tatmadaw soldiers were on patrol when they were attacked by around 50 Chinland Defence Force (CDF) troops who fired a rocket-propelled grenade (RPG) at them. The seven soldiers fought back but being on patrol, had no heavy weapons. Meanwhile, one of the houses caught fire after being hit by the RPG fired by the CDF. The pastor tried to put out the fire and was caught in the crossfire. The Tatmadaw troops were forced to eventually retreat. Therefore, the body of the pastor was taken first by the CDF who then cut off his finger to make it look as if the Tatmadaw had done this. When the authorities recovered the pastor's body, it already had one finger missing. Those who believe in the story circulated by CDF and AAPP should ask themselves why, logically, one finger had to be cut off to take off the ring, and yet the thief took time to unclasp the wristwatch.

48. The AAPP has acted irresponsibly in fanning the flames of hatred, when over 50% of its so-called death cases are of persons who are unverifiable. In contrast, the Ministry of Home Affairs has in its records every single person killed and arrested during the street protests and later, when NUG supporters/PDF mounted armed attacks on the security forces. AAPP and international media have suppressed the truth and prevented the public from learning the truth by deliberately releasing only heavily biased and one-sided reports. Foreign governments and groups intent on destabilizing Myanmar have picked up the AAPP reports and are circulating these inflated figures without any proof.

8. Violence by the PDF and NUG

49. The Ministry of Home Affairs has systematic records of all killings, bombings, and other violent acts reported in the country, including those committed by the PDF of the NUG. Over the period 1 February to 30 September 2021, 741 people were killed by the PDF/NUG, of whom 587 (79.2%) were innocent civilians with no means of defending themselves, while 20.8% were members of the security forces. During the same period, the PDF/NUG attacks injured 1,184 people, of whom 57.9% were civilians (Table C2).

50. Annex C, Figures C1 to C8, are examples of victims killed by the PDF/NUG, who claim to be defending the people against the government's security forces. In reality, being incapable of attacking state security forces, they have turned to indiscriminate attacks against civilians. The civilians killed or injured include schoolteachers, health workers, community leaders, village clerks, young children, Buddhist monks, volunteers organizing anti-COVID-19 activities, small entrepreneurs, people at a wedding party, hospital cleaners, electricity workers and other lower-echelon civil servants. Those who support the PDF and NLD (including the international media) claim that the murder victims were "informers," but they do not ask themselves whether it is the right thing to judge someone guilty without evidence or due process, or even whether it is right to kill an informer if he or she is indeed one. People are also killed by the PDF just because of rumours that he or she is pro-government, pro-Tatmadaw, a supporter of USDP, PPP or any party other than NLD.

51. The most vulnerable to PDF attacks are those who serve their communities in wards and villages: these are the elected village or ward administrators (who are usually community

leaders), and village clerks. Together, their role is to ensure that their community is served with public services and provided with required infrastructure such as roads and bridges from township authorities. They keep population records such as births, deaths, marriages, organize vaccination events, and so on.³¹ The elected village administrators include many NLD supporters, as the current regional governments have kept on many of these community leaders. Notwithstanding these considerations, the PDF kill these people to destroy the government's administrative machinery.

52. Other equally vulnerable people are supporters of other political parties, especially USDP supporters. Up to 8 October 2021, 443 USDP supporters have been killed, comprising 82 USDP members, 225 who had applied for party membership, 136 who were only USDP supporters (the last being simply people who had attended USDP events and/or did not support the NLD). Among those killed included three previous Hluttaw members representing USDP.³² From the smaller parties, one Hluttaw candidate of the PPP was also killed, as well as four PPP members. The PDF also killed Mi Way Thi Phyo, an ethnic Mon woman representative of the Mon Unity Party.

53. In all cases of death, whether PDF, civilians, or security forces, the Ministry of Home Affairs has established the identities of the deceased, identified the cause of death, issued death certificates, and opened police cases. In all cases of injury,

³¹ In rural and remote areas, Myanmar's civil registration and vital statistics system depend on these village systems, which report to the higher health and other authorities as required.

³² USDP records, Nay Pyi Taw

including injuries sustained by PDF members, the authorities have provided medical treatment at public or Tatmadaw health facilities.

54. On the other hand, when armed PDF members initiate attacks on military outposts, or attack security forces going about their duties, these are classified as armed clashes as part of counter-terrorism operations. As with the security forces in other countries, the Tatmadaw has its own rules of engagement for counter-terrorism operations. Information on counter-terrorism operations is classified. Therefore, this Briefing Paper does not include the statistics on armed clashes between terrorist groups and security forces.

55. Several PDF members have been caught for violent crimes (at times months after the murders), and for possession of improvised explosive devices (IED), guns, grenades and other deadly weapons. At least 186 PDF members have testified, and others are still in the process. These testimonies showed that the PDF members are linked with the NUG and with NLD extremists.

56. The Myanmar law enforcement agencies have uncovered financing of the PDF from the NUG, CRPH, NLD representatives and their supporters. There is hard evidence that the Myanmar diaspora around the world are also collecting funds to this end. Those governments, organizations and institutions funding the NUG should be aware that their funds are being directed towards terrorist acts against innocent civilians (Annex C, Figures C1 to C8).

9. Looking forward

9.1. National priorities

57. From the very first, the State Administration Council and Provisional Government of the Republic of the Union of Myanmar committed to holding free and fair elections once the emergency period was over. This is declared in the Government's Five Point Road Map and the Nine Objectives (Box 1). The government is keeping to these goals and objectives. The first point on the Five Point Road Map has already been achieved. The UEC is conducting assessments to identify the preparations required for the fifth point on the Road Map, which is free and fair elections. The first round of consultations with stakeholders is scheduled for November 2021.

The Five-Point Road Map of the State Administration Council

1. The Union Election Commission will be reconstituted and its mandated tasks, including the scrutiny of voter lists, shall be implemented in accordance with the law.
2. Effective measures will be taken with added momentum to prevent and manage the COVID-19 pandemic.
3. Actions will be taken to ensure the speedy recovery of businesses from the impact of COVID-19.
4. Emphasis will be placed on achieving enduring peace for the entire nation in line with the agreements set out in the Nationwide Ceasefire Agreement.
5. Upon accomplishing the provisions of the state of emergency, free and fair multi-party democratic elections will be held in line with the 2008 Constitution, and further work will be undertaken to hand over State duties to the winning party in accordance with democratic standards.

Nine Objectives of the State Administration Council

1. Political affairs

- (a) To build a Union based on democracy and federalism, through a disciplined and genuine multiparty democratic system that is fair and just.
- (b) To emphasize the achievement of enduring peace for the entire nation in line with the Nationwide Ceasefire Agreement (NCA).
- (c) To continue implementing the principle of peaceful co-existence among countries through an independent, active and non-aligned foreign policy.

2. Economic affairs

- (a) To enhance production based on agriculture and livestock through modern techniques and strengthen all-round development in other sectors of the economy.
- (b) To develop a stable market economy and promote international investment in order to enhance the economic development of the entire National people.
- (c) To promote and support local businesses to create employment opportunities and increase domestic production.

3. Social affairs

- (a) To ensure a strong and dynamic Union spirit, the genuine spirit of patriotism.
- (b) To respect and promote the customs and traditions of all National peoples and preserve and safeguard their cultural heritage and national characteristics.
- (c) To enhance the health, fitness and education quality of the entire nation.

58. The immediate priority for now is COVID-19 control and vaccination. Myanmar has encountered daunting challenges in the fight against the third wave of the disease. The health care system was undermined by doctors and nurses who participated in the civil disobedience movement. Up to 30th September 2021, there have been 16 attacks by PDF terrorist groups against COVID-19 prevention and control sites. Despite such challenges, and amidst scathing criticism from western media on how COVID-19 was being managed, the Government and the committed remaining health staff continue to work hard with civil society organizations, communities, and Tatmadaw to control and manage the COVID-19 pandemic.

59. As a result, some measure of success was achieved, including increased availability of medical oxygen, and reduced test positivity rates (from 40% in mid-July to below 10% in the first week of October). The vaccination campaign is progressing, led by the Ministry of Health and supported by assistance from friendly countries, civil society and community-based organizations, the medical corps of the Tatmadaw, and the trust and participation from the public. Myanmar appreciates the donations of vaccines and medical supplies from Cambodia, China, India, Russia and ASEAN.

60. Vaccinations are being administered to all eligible members of the priority groups defined by the Ministry of Health without discrimination, irrespective of ethnicity, religion, gender, socio-economic status or political affiliation. Those being vaccinated include members and families of EAOs, prisoners, and those from internally displaced person (IDP) camps. From 27 January 2021 to 8 October 2021, a total of 13.29 million doses of COVID-19 vaccines were administered. A total of 4.03 million people have

received the full dose of two shots, and thus, 10.75 percent of the total population above 18 years old have been fully vaccinated. In addition, 5.2 million people have been vaccinated for their first dose. The COVID-19 vaccination program will be continued in line with World Health Organization coverage standards for vaccination with respect to target groups.

61. On 27 September 2021, the Office of the Commander-in-Chief of the Myanmar Tatmadaw issued a statement on ceasefire and the peace process. The statement recognized the importance of the diverse ethnic nationals living in the country and dialogue centred on unity. The statement further noted that UN Secretary-General Mr. Antonio Guterres had called on 23 March 2020 for a global ceasefire to focus together on defeating COVID-19, and that Myanmar is a responsible member of the United Nations. The statement recalled that since 21 December 2018, the Tatmadaw had been unilaterally issuing 20 statements on suspension of military operations to give peace negotiations a chance. The statement announced that in view of the upcoming 75th anniversary of Myanmar's Union Day on 12 February 2022, the Tatmadaw would unilaterally extend the suspension of all military operations until 28 February 2022, except when other forces attack people's lives and property, transport networks, national defence and administration, and state security and governance.

9.2. Myanmar and the United Nations

62. Myanmar has been a responsible member of the United Nations since 1948, providing its yearly contributions to the UN, including to agencies such as UNDP, UNCDF, UNFPA, UNICEF, FAO, UNIDO, and UNESCAP. Up to the time of COVID-19, the country had a substantial in-country presence of UN agencies.³³ Like other UN Member States, Myanmar has also committed to implementing the 2030 global agenda for the Sustainable Development Goals (SDGs). Myanmar has shown that it intends to abide by all the commitments made to the international community by successive previous governments, including the SDGs and numerous Conventions and Agreements.

63. A case in point is the process of tracking the SDGs through the Voluntary National Review (VNR) process. On 22 October 2020, during the time of the previous government, the list of VNR countries for 2021 included the Republic of the Union of Myanmar. Since that time, despite the change of government in Myanmar, a task force of civil servants and other stakeholders worked hard to submit Myanmar's very first VNR report in time, on 10 June 2021 to the United Nations Department of Economic and Social Affairs (UN DESA). On 15 June,³⁴ UN DESA scheduled Myanmar's VNR presentation to the High-Level Political Forum (HLPF) for 13 July. Subsequently, however, Myanmar's VNR report was taken down

³³ UN agencies in Myanmar: FAO, ILO, IOM, UN OCHA, UN Habitat, UN Women, UNAIDS, UNCDF, UNDP, UNESCO, UNFPA, UNHCR, UNICEF, UNODC, UNOPS, UNV, WFP, WHO, and the Bretton Woods Institutions (World Bank and International Monetary Fund). Available from: <https://myanmar.un.org/en/about/un-entities-in-country>. Accessed 8 October 2021.

³⁴ Third Global Webinar conducted by UN Department of Economic and Social Affairs on 15 June 2021.

from the HLPF website and Myanmar's presentation was dropped from the HLPF.

64. Another example is Myanmar's combined fifth and sixth report on the implementation of the Convention on the Rights of the Child to the UN Committee on the Rights of the Child. This report had been due since February 2017 from the previous government's time. The current government has submitted the report since October 2021. The government is also taking steps to submit the sixth report on the implementation of the Convention on the Elimination of All Forms of discrimination against Women (CEDAW) to the CEDAW Committee.

65. All UN agencies in Myanmar have cooperation programmes and signed agreements with the Myanmar government. However, since February 2021, these in-country agencies have ignored the principle of "innocent until proven guilty" with preconceived assumptions. The current government's explanation of events and documented evidence seem to have fallen on deaf ears. Instead, they are applying a policy of self-distancing from the Myanmar government, citing the unsettled issue of UN credentials. Despite the COVID-19 crisis, the Myanmar government has not been able to attend World Health Assembly meetings to discuss its COVID-19 situation. Other agencies such as FAO and ILO have also dropped Myanmar from their international meetings.

66. The result of UN agencies limiting cooperation with the Myanmar government is that cooperation agreements have expired or are not being implemented. Worse, the UN and its agencies are taking measures that punish Myanmar's poor and are themselves

violating the humanitarian principle of “Do No Harm.” One example is the COVID-19 vaccination. The stated noble aim of COVAX is to “to accelerate the development and manufacture of COVID-19 vaccines, and to guarantee fair and equitable access for every country in the world”.³⁵ While the GAVI COVAX Facility has delivered the COVID-19 vaccine supplies to other member states up to Round-4, Myanmar has not yet received any vaccines from GAVI-COVAX as of 15 October 2021. Yet Myanmar is not only a least developed country, but also became in 2017 the country with the lowest income per capita in ASEAN.³⁶

67. Another example is Myanmar’s tripartite Memorandum of Understanding (MoU) signed with the UNDP and the UNHCR to assist in its efforts to facilitate the Arrangement on Return of Displaced Persons from Rakhine State between Myanmar and Bangladesh.³⁷ The tripartite MoU has now expired. Although the current government has declared its intention to continue implementing the process, UNDP and UNHCR are circumventing official formal procedure to extend this MoU.

³⁵ COVAX is co-led by the Coalition for Epidemic Preparedness Innovations (CEPI), Gavi and the World Health Organization (WHO), alongside key delivery partner UNICEF. <https://www.gavi.org/covax-facility> Accessed 15 October 2021.

³⁶ Gross national income per capita Atlas method (current US\$): Myanmar US\$ 1,260 in 2020.

³⁷ Memorandum of Understanding (MoU) Between the Ministry of Labour, Immigration and Population of the Government of the Republic of the Union of Myanmar and the United Nations Development Programme and the Office of the United Nations High Commissioner for Refugees. The purpose of the MoU is to accelerate the repatriation process of displaced persons from Rakhine and to create a conducive environment to potential returnees.

10. Conclusion

68. The United Nations needs to take a pragmatic approach on the issue of representation and recognition, in accordance with its Charter.³⁸ The entity in Myanmar leading the implementation of SDGs and all other agreements with the UN is the Provisional Government of Myanmar, which extends from national to village level. In reality, only this government — which has full territorial control of the country (section 6) — can implement Myanmar’s commitments to international agreements, including COVID-19 vaccination (which requires effective cold chain management) in border and EAO areas.

69. It is the poor and the vulnerable at grassroots level who will suffer from a suspension of UN programmes. If the United Nations decides in favour of the NUG, it is in effect assigning the NUG to deliver all the UN programmes. This is a physical impossibility, since the NUG is an entity that operates in virtual space, and it does not possess any part of Myanmar’s territory. All that will happen is that the current UN agencies in Myanmar will be unable to implement their programmes and activities and eventually phase out. It will also mean that the United Nations is supporting the PDF and NUG; these are organizations that a sovereign nation has ruled to be terrorist organizations, based on solid evidence that they are committing terrorist acts against innocent civilians.

³⁸ United Nations Charter, Article 2 “.... principle of the sovereign equality of all its Members;” “Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter....”

70. In conclusion, this Briefing Paper has tried to address the disinformation and the falsehoods circulating about Myanmar's Provisional Government and the Tatmadaw (Myanmar Defence Services). In particular, the Paper attempts to answer the questions which may have arisen as a result of the false political narratives circulating in the media. The Paper explains the issue of territorial control by the Provisional Government of Myanmar. It addresses the deliberate attempts by some in the international community to ignore the massive scale of electoral fraud that scarred the 2020 elections. It explains the means by which power transferred to the Provisional Government and counters the myth that Tatmadaw actions were unconstitutional. The Paper also addresses the unjust and untrue accusations levelled against the Provisional Government and Tatmadaw. Had the NLD *not* committed the massive election frauds, had President U Win Myint, Daw Aung San Suu Kyi and the NLD leadership *not* violated the 2008 Constitution, and *not* ignored the concerns of other political parties and the Tatmadaw, the Tatmadaw would not have been forced to exercise Article 417 of the 2008 Constitution.

71. In the more than seven decades since Myanmar became an independent country, the Tatmadaw as an institution has had a unique role in protecting the state and nation. Over time, the Tatmadaw has evolved into a highly disciplined institution. It should not be forgotten or brushed aside that (a) it was the Tatmadaw itself who convened the National Convention, which developed the 2008 Constitution; (b) that Tatmadaw-backed entities organized free and fair elections in 2015 based on this Constitution; and (c) that, subsequently, the Tatmadaw ensured state power was handed over peacefully to a democratically elected government. It was not the sanctions by the west which brought about these democratic reforms, but it was the Tatmadaw itself as

an institution. Sanctions against the SPDC government and the country at the time affected most the middle class and the poor.

72. Those who truly desire stability, peace, and prosperity for Myanmar will recognize the truth of these statements and realize that the Provisional Government of the Republic of the Union of Myanmar is the only entity that can deliver stability, reconciliation, democracy, and peace. We rest our case.



Annex A. The 2020 general elections and the massive scale of fraud

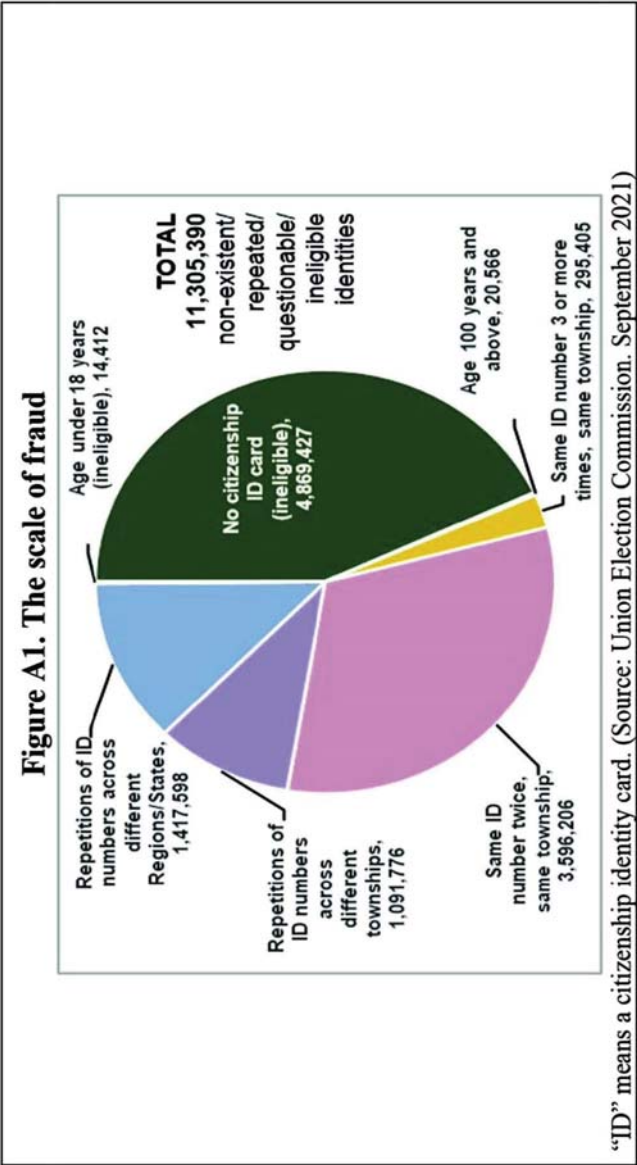


Figure A2. Ineligible voters voting, Pinyinana Township

[illegible]

Figure A3. Ineligible voters voting, Pyin Oo Lwin

[illegible]

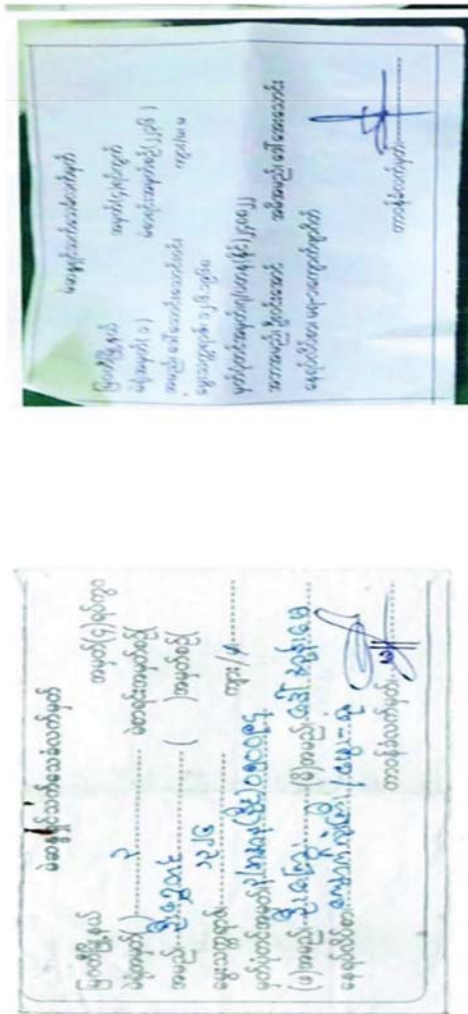
Note: Actual voter list on Election Day, Pyin Oo Lwin, showed that several so-called voters were without a citizenship identity card, and therefore ineligible but their votes were counted. The citizenship identity card number must be written in the fifth column. The last column is where voters put their signature or mark to show they have voted. The three identities marked in red with a blank fifth column are just three out of 4.87 million similarly ineligible voters. Source: UEC, September 2021

Figure A4. Duplicate identity card numbers, Shan State and Yangon

[illegible]

Note: These are duplicate fraudulent identity card numbers, just 7 out of 1.42 million repetitions across different Regions/States. Examination of the official voter lists through the using spreadsheets revealed repetitions in the citizenship identity card number, which is in the sixth column of this form. The last filled column is for township and this shows that a “person” in Yangon Region voted with the same citizenship identity number as another “person” in Shan State. Yet, the citizenship identity number is unique for each citizen. Source: UEC, September 2021.

Figure A5. Fake and genuine voter registration slips



Note: Only those with both citizenship identity card and genuine voter registration slip are eligible to vote. The genuine slips (right) are generated from the official voter lists. The fake voter registration slips (left) have fields filled in by hand. At the 2020 general elections, those with such fake slips were allowed to vote, which is illegal.

Source: Union Election Commission. September 2021

Figure A7. Duplicate/fraudulent identity card numbers across different townships

စဉ် အမှတ်	အမျိုးသမီး အမည်	ရက်စွဲ	ရက်စွဲ	ရက်စွဲ	အသက်	အသက်	ရက်စွဲ	ရက်စွဲ	ရက်စွဲ	ရက်စွဲ
၁	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄
၂	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄
၃	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄
၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄
၅	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄
၆	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄
၇	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄
၈	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄
၉	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄
၁၀	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄	၁၇၄၄

Note: These are just 5 out of 1.09 million duplicate identity card numbers across different Townships. Examination of the official voter lists through using spreadsheets revealed repetitions in the citizenship identity card number, which is in the sixth column of this form. The last filled column is for township – and this shows that a “person” in Daik-U township voted with the same citizenship identity number as another “person” in Nyaunglebin township. Both are in Bago Region. The citizenship identity number is unique for each citizen. Source: Union Election Commission, September 2021.

Figure A9. Fraudulent advance ballot papers pre-stamped with the vote for NLD



Note: These are advance ballot papers that have been pre-stamped with the vote for NLD (red logo with white star) even before use at polling stations, Kayansalkone village tract, Taikone Township. The correct procedure is that the voters are issued with blank ballots (right hand side of each photo) and then they must stamp a blue “tick mark” against the party logo of their own choice. So-called advance votes, if prepared in this way, can be substituted or inserted with false identities. Source: Union Election Commission, September 2021.

Annex B. Disinformation by AAPP taken up by foreign media

Table B1. Examples of disinformation published by AAPP

AAPP version, 20 September 2021	What happened: The provable facts from Ministry of Home Affairs
AAPP number 326: Lin Htet, male. Father's name unknown. Date of Incident 25-Mar-21, Deceased Date, 26-Mar-21. Civilian, place of incident Moe Dar Su Bridge, home address: AungTha Pyay Ward, Mohnyin Township, Kachin State. "Shot in the stomach with gunfire, missing dead body"	Lin Htet is 25 years of age, male. Father's name U Aung Win Naing. Ethnicity Bamar, Buddhist. Address: Railways Quarters, Mohnyin town, Kachin State. He works in a motorcycle repair workshop. Lin Htet is charged under penal code 505(a) and is currently in Mohnyin prison under FIR number 83/2021 (Mohnyin Myoma police station) and court registration number 212/2021.
AAPP number 706: Thura Aung, male. Father's name unknown. Date of Incident 22-Apr-21, Deceased Date, 23-Apr-21, Civilian, place of incident Interrogation Center, home address Htee Phyu Ward, Pyay, Bago Region. "He was arrested on April 22 in Pyay and died on April 23 due to serious torture while interrogation."	Thura Aung is 39 years of age, male. Father's name U Thein Aung, Ethnicity Bamar, Buddhist. Address: Ywa Bei Ward, Pyay, Bago Region. He is a metal railing worker. Thura Aung was charged on 7 May 2021 under penal code 505(a) and is currently in Pyay prison under FIR number 103/2021 (Pyay Myoma police station) and court registration number 229/2021.
AAPP number 686: Kyaw Ye Naing, male 25 years. Father's name unknown. Date of incident 14-Apr-21. Deceased Date, 14 April 2021, Civilian, home address Myingyan, Mandalay Region. "While he was driving the motorbike, he was shot and tied up, then dragged alone and tortured to death."	Kyaw Ye Naing a.k.a. Kyaw Gyi is 24 years of age, male. Father's name U Maung Zaw. Address Ward 2, Myingyan Township. He has no fixed employment. He was charged on 27 April 2021 under penal code 505(a) and is currently in Myingyan prison under FIR number 33/2021 (Myingyan police station) and court registration number 153/2021.
AAPP number 272: Tun Aung Kyaw, male. Father's name unknown. Date of incident 19-Mar-21. Deceased date 19-Mar-21. Civilian. Home address: Kalaw (Aungpan) Shan State. "He was killed from gunshot."	Tun Aung Kyaw is 38 years of age, male. Father's name U Khin Maung Myint. Address Sector 4. Nyaung Bin Taung Ward, Aungban, Kalaw Township, Shan State. He was charged on 2 April 2021 under penal code 505(a) and is currently in Nyaungshwe prison under FIR number 26/2021 (Aungban police station) and court registration number 111/2021.
AAPP number 320: Nay Linn Htwe (aka) M Swar Did. Male. 28 years. Father's name unknown. Date of incident 25-Mar-21. Deceased date: 25-Mar-21. Civilian. Home address: Taunggyi (Kanthar), Taunggyi, Shan State. "Shot in the eye and the leg"	Nay Linn Htwe a.k.a. M Swar Did a.k.a. M Swar Day is 28 years of age, male. Father's name U Khawlid. Address: Kanthar Ward, Taunggyi, Shan State. He was charged on 26 April 2021 under penal code 505(a)/294/436 and is currently in Nyaungshwe prison under FIR number 101/2021 (Taunggyi Myoma police station) and court registration number 330/2021.
AAPP number 717: San Paw. Male. Father's name unknown. Date of incident 28-Apr-21. Deceased date: 29-Apr-21. Civilian. Home address: in the Ward (Sanpya Village), Sanpya Village, Pyapon Ayeyarwady Region. "After the Ward administration office was set on fire, the terrorist junta opened fire and shot him in the stomach and arm and then arrested him and six other locals. He died while he was receiving medical treatment at Bogalay Hospital."	San Paw a.k.a. Lin Lin is 39 years of age, male. Father's name U Khin Zaw. No fixed employment. Ethnicity Bamar, Buddhist. Address: San Pya Village, Pyapon Township. He was charged on 13 May 2021 under penal code 505(a) and is currently in Pyapon prison under FIR number 129/2021 (Pyapon Myoma police station) and court registration number 274/2021.

Source: Ministry of Home Affairs and Assistance Association for Political Prisoners

**Table B2. Examination of AAPP's claim of 987 deaths (31 August 2021)
against Ministry of Home Affairs records backed up by police case details**

#	Region/State	Deaths in AAPP list	Ministry of Home Affairs records backed up by police case details					
			Deaths of demonstrators due to riot control measures implemented by security personnel ^[1]	Deaths of demonstrators due to other causes ^[2]	People confirmed as alive ^[3]	Persons charged with criminal activities who died while in detention. ^[4]	Total number accounted for by the Ministry from the AAPP list of fatalities	Identities on the AAPP list who are unverifiable in national records or databases
1	Nay Pyi Taw	5	2	2	-	-	4	1
2	Kachin	23	8	8	1	1	18	5
3	Kayah	24	-	3	-	-	3	21
4	Kayah	-	-	-	-	-	-	-
5	Chin	13	-	2	-	-	2	11
6	Sagaing	220	22	25	-	3	50	170
7	Tanintharyi	38	11	7	-	-	18	20
8	Bago	75	17	16	1	1	35	40
9	Magway	46	10	17	-	3	30	16
10	Mandalay	219	15	30	-	7	52	167
11	Mon	14	1	4	-	1	6	8
12	Rakhine	-	-	-	-	-	-	-
13	Yangon	251	90	67	-	2	159	92
14	Shan	42	10	7	2	1	20	22
15	Ayeyarwady	17	6	5	-	-	11	6
Total		987	192	193	4	19	408	579

Notes:

[1] Riot control measures are used when demonstrations turn into violent riots, with attempts by mobs to kill security forces, destroy property, or burn factories. The security personnel killed by demonstrators and mobs during this time are included in Table C2.

[2] Other causes of the death of demonstrators mean deaths that are not directly due to riot control measures implemented by security forces. These include (a) disease (heart attack, stroke), (b) falls, accidents and injuries in the crowd or in fleeing from security forces, (c) trauma/injury inflicted by unknown persons. The last group includes cases where bodies were dumped in the road or notified to the police.

[3] For examples of people who are recorded as dead by AAPP, but are still alive, see Table B1.

[4] The cause of death of detainees during detention are injuries they sustained before detention (e.g., in riots), or illness and/or pre-existing health conditions.

Source: Ministry of Home Affairs and AAPP.

Annex C. The true facts on violence by the PDF/NUG

Table C1. Ministry of Home Affairs statistics on deaths of demonstrators

Region /State	Deaths of demonstrators during anti-government demonstrations	
	Deaths from riot control measures implemented by security forces [1]	Deaths from other causes [2]
1 Nay Pyi Taw	2	2
2 Kachin	8	10
3 Kayah	-	3
4 Kayin	-	-
5 Chin	-	3
6 Sagaing	22	33
7 Taninthayi	11	10
8 Bago	17	20
9 Magway	10	22
10 Mandalay	15	37
11 Mon	1	7
12 Rakhine	-	-
13 Yangon	90	66
14 Shan	10	10
15 Ayeyarwady	6	5
Sub-Total	192	228
Total	420	

Notes:

[1] Riot control measures are used when demonstrations turn into violent rioting, with attempts to kill security forces, destroy property, or burn factories. The security personnel killed by demonstrators during this time are included in Table C2.

[2] Other causes of the death of demonstrators not directly due to riot control measures implemented by security forces include (a) disease (heart attack, stroke), (b) falls, accidents and injuries in the crowd or in fleeing from security forces, (c) trauma /injury inflicted by unknown persons. The last group includes cases where bodies were dumped in the road or notified to the police.

Examples of the terrorist acts of the People's Defence Force

During the period 1 February–30 September 2021, at least 587 innocent civilians were killed by the PDF. The reason? These civilians were not PDF/NUG supporters and were just going about their daily lives. The following photographs taken by local security forces on the crime scene capture a few of these cases. Video testimony from captured PDF terrorists show that the NUG and NLD parliamentarians supported these acts.

Figure C1. Three generations killed by PDF: grandfather, mother, three-year-old boy



19 May 2021, 00:30, Shwe Paukpin Village, Myaung Township, Sagaing Region: A crowd of about 20 masked men threw two IEDs into the house of the elected village administrator U Soe Nyunt, one of which exploded. In the ensuing chaos, the men entered the house and attacked the entire family with sticks, knives and swords, killing village administrator U Soe Nyunt (age 50 years), his daughter Daw Tin Mar Soe (age 30), and her young son Maung Swan Htet Aung (age 3 years). The rest of the family sustained injuries. Source: Myanmar Police Force case records.

Figure C2. Wedding party bombed by PDF



25 May 2021, 12:35–12:55, Thingangyun Township, Yangon Region: A man on a motorcycle delivered a parcel bomb disguised as a wedding gift to an apartment where wedding celebrations were being held. The bomb killed the bride Ma Win Pa Pa (age 25 years), two friends—Ma Chit Hpoo, Thei Khine (female, age 23) and Maung Zaw Win Aung (male, age 19)—and injured six others. Source: Myanmar Police Force case records.

Figure C3. The burned remains of a schoolteacher, hospital worker, village clerk, and community leaders killed by PDF



31 May 2021, 18:15, Ye Hla Village turnoff, Gangaw-Kalay road, Magway Region: A car carrying 6 people was stopped by a crowd carrying home-made guns, who shot up the passengers and set the car alight. Five died: (i) driver U Kyaw Myo Naing (male, age 32, village clerk, Myauk Khinyan Village), (ii) U Thar Lu (male, age 63, Hanthawady village administrator), (iii) U Sein Oo (male, age 55, Myauk Khinyan village administrator), (iv) Daw Khin Myo Thet (female, age 43, middle schoolteacher), and (v) Daw Thidar Win (female, age 53, sanitation staff at Myauk Khinyan hospital). The sixth person escaped by pretending to be dead from her gunshot wounds (Ma Thei Mar Htwe). Source: Myanmar Police Force case records.

Figure C4. Young gas station attendant blown up by a PDF motorcyclist



1 June 2021, 12:50, South Haymamar-lar Ward gas station, Maha Aungmye Township, Mandalay Region: Two young men, Zaw Myint Myat (age 35 years) and Thet Naing Oo (age 18 years), working as gas station attendants, were blown up while filling up a motorcycle in which an improvised explosive device (IED) had been planted. The rider had disappeared after dismounting from the motorcycle. Source: Myanmar Police Force case records.

Figure C5. A community leader / elected village administrator killed by the PDF



22 July 2021, 23:30, Thadut Village 7, Myaing Township, Magway Region: Around 30 men entered the house of elected village administrator U San Aung (52 years), and stabbed and hacked him to death. Two sons were injured. They and the remaining family fled into the woods near the village. The tasks of a village administrator include development work for the village, such as road construction, school rehabilitation and welfare activities. Village administrators are elected by the community, one vote per household, and are not civil servants. They receive a nominal sum for operating expenses, such as transportation costs to township level on behalf of the village.

Source: Myanmar Police Force case records.

Figure C6. A young Buddhist monk stabbed to death by the PDF



8 August 2021, Kyauk-hpa village, Mogoke Township, Mandalay Region: U Kawthala, a Buddhist monk of age 25 years, was found dead from multiple knife wounds. One of the perpetrators has recently been arrested and is undergoing further investigation. The PDF have killed other monks also, as well as calling for the elimination of some of the most revered Buddhist monks in the land for not taking sides. Source: Myanmar Police Force case records.

Figure C7. An eight-month-old victim of the PDF's indiscriminate shooting



12 August 2021, 07:00, Myingyan town, Mandalay Region: A group of four PDF members on two motorcycles fired a gun at a vendor selling *mohinga* (fish noodle soup), after calling out, “Is there any *mohinga*?” from their motorcycles. The vendor’s infant daughter, Ma Nyein Nyein, eight month old, was hit in the head and died in her father’s arms.

Her father, *mohinga* vendor U Nyein Chan (age 26 years), and the customer Daw Tin Tin (female age 50 years) sustained gunshot injuries. The PDF then fled.

Source: Myanmar Police Force case records.

Figure C8. A 74-year-old retiree beheaded by the PDF



28 August 2021, Ye-Oo Kalay road, Taze Township, Sagaing Division: U Kyaw Nyunt (age 74 years), a retired sergeant from the Tatmadaw, was beheaded by the roadside. At 00:05 while the whole family was asleep in their village of Kyet-Hsoo-Kan, a crowd of 20 men entered the house, tied up the family, and took away U Kyaw Nyunt. After the beheading, they returned at 01:15, ransacked the house, and took away whatever valuables they could find. Source: Myanmar Police Force case records.

Table C2. Deaths and injuries of civilians and security personnel caused by violent demonstrators and PDF terrorist attacks from 1 February 2021 to 30 September 2021.

Region /State	Deaths of civilians and security personnel caused by violent demonstrators, rioters, and PDF terrorist attacks				Injuries of civilians and security personnel caused by violent demonstrators, rioters, and PDF terrorist attacks			
	Tatmadaw personnel	Police personnel	Civilians (Civil servants)	Other civilians	Tatmadaw personnel	Police personnel	Civilians (Civil servants)	Other civilians
1 Nay Pyi Taw	-	-	-	-	-	43	2	6
2 Kachin	-	-	-	9	3	19	1	8
3 Kayah	1	4	-	2	-	24	3	-
4 Kayin	2	-	-	15	5	6	1	8
5 Chin	21	7	2	4	12	10	3	7
6 Sagaing	5	21	5	233	11	67	9	155
7 Taninthayi	5	1	-	28	9	4	-	16
8 Bago	-	2	-	24	2	40	3	47
9 Magway	1	2	3	56	-	38	2	42
10 Mandalay	10	12	2	77	12	72	18	145
11 Mon	-	3	-	25	-	15	-	35
12 Rakhine	1	-	-	1	-	-	-	-
13 Yangon	9	12	1	83	10	60	3	127
14 Shan	12	23	1	11	4	15	5	12
15 Ayeeyarwady	-	-	-	5	1	16	2	26
Sub-Total	67	87	14	573	69	429	52	634
Total	741				1184			

Source: Ministry of Home Affairs

